IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE P.R.RAMAN

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

WP(C).No. 30920 of 2006(S)

PETITIONER:
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1. VENUGOPALAN,
   AGED 47 YEARS, S/O.GOVINDAN,
   MADAVANA, MANATTUPARAMBIL,
   THOTTAKKATTUKARA, ALUVA.

2. SARITH,
   AGED 24 YEARS, S/O.RAJAPPAN,
   ELAMATTATHU HOUSE, WEST KADUNGALLOOR,
   ALUVA.

BY ADV. SRI.C.P.PEETHAMBARAN

RESPONDENTS:
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1. STATE OF KERALA,
   REP. BY ITS SECRETARY,
   REVENUE DEPARTMENT, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. THE TRAVANCORE DEVASWOM BOARD,
   REP. BY ITS SECRETARY,
   NANTHANCODE, THIRUVANANTHAPURAM.

3. THE ASST. DEVASWOM COMMISSIONER,
   THE TRAVANCORE DEVASWOM BOARD,
   NORTH PARAVUR.

4. THE ADMINISTRATIVE OFFICER,
   SREE MAHADEVA TEMPLE,
   MANAPPURAM, P.D.DEVAWOM,
   ALUVA.

5. THE CIRCLE INSPECTOR OF POLICE,
   ALUVA.

R1 & R5 BY GOVT.PLEADER SRI M.R.SABU
R2 & R3 BY SRI M.K.CHANDRAMOHAN DAS, SC FOR TDB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/11/2006, THE COURT ON 1/12/2006 DELIVERED THE FOLLOWING:

V.K.BALI, C.J. & P.R.RAMAN, J.

W.P.(C).NO.30920 OF 2006

Dated this the 1st day of December, 2006

JUDGMENT

Raman, J.

This is a public interest litigation filed by the petitioners, who are worshippers of Sree Mahadeva Temple, Manappuram, Aluva. The Temple is situated in a leasehold land of the Government. It is alleged that the Temple Authorities are violating the terms of the lease between the Government and the said Temple. Admittedly, the petitioners did not approach the Government in the matter and before that they have approached this Court. As such there is no demand or refusal. Government being the lessor, it is for the Government to consider such complaints at the first stage.

2. In such circumstances, it is open to the petitioners to approach the Government by filing a representation, and if such representation is filed within a period of three weeks from today, the Government shall consider the same and pass appropriate orders.

Leaving open such right of the petitioners, this writ petition is dismissed at this stage.

V.K.BALI,
CHIEF JUSTICE

P.R.RAMAN,
Judge.

kcv.